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Date: November 10, 2003  
To: Examiner J. Brusca  
USPTO, Art Unit 1631  
Facsimile No. 1-703-872-9306  
From: Dahna S. Pasternak  
Re: USSN 09/706,243 (Atty Dkt. 8325-0002.10)  
Message: Please see attached Request for Initialed Form PTO-1449

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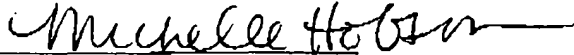
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Atty. Dkt. No.: 8325-0002.10  
Client Dkt. No.: S2-US3

**PATENT****CERTIFICATE OF FACSIMILE**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

COX III et al.

Serial No.: 09/706,243

Filing Date: November 3, 2000

Title: REGULATION OF ENDOGENOUS  
GENE EXPRESSION IN CELLS USING  
ZINC FINGER PROTEINS

Examiner: J. Brusca

Group Art Unit: 1631

Confirmation No.: 6940

Customer No.: 20855

**OFFICIAL****REQUEST FOR INITIALED FORM PTO-1449**

Box AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants note that they have not yet received initialed copies of the Form PTO-1449 submitted with the Supplemental Information Disclosure Statement on October 30, 2001. Enclosed please find a copy of the Supplemental Information Disclosure Statement and Form PTO-1449 for the Examiner's convenience. Applicants request that the Examiner initial the attached Form PTO-1449 and return a copy of the initialed Form PTO-1449 to Applicants.


No fee is deemed necessary in connection with the filing of this communication.

USSN: 09/706,243  
Atty. Dkt. No.: 8325-0002.10  
Client Dkt. No.: S2-US3

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: November 10, 2003

By:   
Dahna S. Pasternak  
Attorney for Applicant  
Registration No. 41,411

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## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 30, 2001.

*April Reeves*  
April Reeves

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

G.N. Cox, III, *et al.*

Application No.: 09/706,243

Filed: November 3, 2000

For: REGULATION OF ENDOGENOUS  
GENE EXPRESSION IN CELLS  
USING ZINC FINGER PROTEINS

Examiner: J. Brusca

Group Art Unit: 1631

COPY

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

## UNDER 37 C.F.R. §§ 1.97(b)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and a completed form PTO-1449 are provided herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

GILLEMANS *et al.* "Altered DNA-binding specificity mutants of EKLF and Sp1 show that EKLF is an activator of the  $\beta$ -globin locus control region *in vivo*" *Genes Devel.* 12:2863-2873 (1998).

THIESEN, "From repression domains to designer zinc finger proteins: A novel strategy of intracellular immunization against HIV" *Gene Expr.* 5:229-243 (1996).

IMHOF *et al.* "Transcriptional regulation of the AP-2 $\alpha$  promoter by BTEB-1 and AP-2rep, a novel wt-1/cgr-related zinc finger repressor." *Molecular & Cellular Biology* 19:194-204 (1999).

PATENT  
USSN 09/706,243  
Ref. No.: S2-US3

LIU *et al.* "Regulation of an endogenous locus using a panel of designed zinc finger proteins targeted to accessible chromatin regions." *Journal of Biological Chemistry* 276:11,323-11,334 (2001).

LIU *et al.* "Transcription factor EGR-1 suppresses the growth and transformation of human HT-1080 fibrosarcoma cells by induction of transforming growth factor  $\beta$ 1." *Proceedings of the National Academy of Sciences of the USA* 93:11,831-11,836 (1996).

SPENGLER *et al.* "Regulation of apoptosis and cell cycle arrest by Zac1, a novel zinc finger protein expressed in the pituitary gland and the brain." *EMBO Journal* 16:2814-2825 (1997).

ZHANG *et al.* "Synthetic zinc finger transcription factor action at an endogenous chromosomal site." *Journal of Biological Chemistry* 275:33,850-33,860 (2000).

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the information listed above constitutes prior art to the subject application.

This Information Disclosure Statement is being filed before receipt by Applicants of a first Office Action on the merits. Accordingly, no fee is believed to be due.

Respectfully submitted,

Date: October 30, 2001

By: Sean Brennan

Sean M. Brennan  
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Atty No. S2-US3

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 1 of 2

In the Application of G.N. Cox, III, *et al.*

Serial No.: 09/706,243

Art Unit: 1631

Filed: November 3, 2000

Examiner: J. Brusca

Title: REGULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS USING ZINC FINGER PROTEINS

## U.S. PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Date	Name	Class	Sub Class	Filing Date

## FOREIGN PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation YES NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Exam. Init.	Ref. Desig.	Description
	GI	GILLEMANS <i>et al.</i> (1998) "Altered DNA binding specificity mutants of EKLF and SP-1 show that EKLF is an activator of the $\beta$ -globin locus control region <i>in vivo</i> ." <i>Genes &amp; Development</i> 12:2863-2873.
	GJ	THIESEN (1996) "From repression domains to designer zinc finger proteins: A novel strategy for intracellular immunization against HIV." <i>Gene Expression</i> 5:229-243.
	GK	IMHOF <i>et al.</i> (1999) "Transcriptional regulation of the AP-2 $\alpha$ promoter by BTEB-1 and AP-2rep, a novel wt-1/egr-related zinc finger repressor." <i>Molecular &amp; Cellular Biology</i> 19:194-204.

Examiner:

Date Considered:

Atty. No. S2-US3

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FORM PTO-1449 (Modified)  
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Sheet 2 of 2

In the Application of G.N. Cox, III, *et al.*

Serial No.: 09/706,243

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Title: REGULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS USING ZINC FINGER PROTEINS

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GM	LIU <i>et al.</i> (1996) "Transcription factor EGR-1 suppresses the growth and transformation of human HT-1080 fibrosarcoma cells by induction of transforming growth factor $\beta$ 1." <i>Proceedings of the National Academy of Sciences of the USA</i> 93:11,831-11,836.
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GO	ZHANG <i>et al.</i> (2000) "Synthetic zinc finger transcription factor action at an endogenous chromosomal site." <i>Journal of Biological Chemistry</i> 275:33,850-33,860.

Examiner:

Date Considered: